



Attorney's Docket No.: 10417-084001 / F51-134741M/SW

2815  
RFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Izuo Iida  
Serial No. : 09/876,554  
Filed : June 7, 2001  
Title : METHOD OF MANUFACTURING SEMICONDUCTOR DEVICE

Art Unit : 2815  
Examiner : N. Drew Richards

Fee only

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT IN REPLY TO ACTION OF APRIL 28, 2004

Please amend the above-identified application as follows:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JULY 28, 2004  
Date of Deposit  
Patricia F. Suchanek  
Signature  
PATRICIA F. SUCHANEK  
Typed or Printed Name of Person Signing Certificate

integrate layer 50 that separates the oxide film 45 on the floating polygate 40 from the control polygate 60 (FIG. 2f).

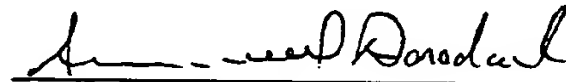
As already noted, however, the Hsieh et al. patent relates only to the fabrication of a memory cell, not to the fabrication of MISFETS or MOS transistors. At most, the cited references suggest forming a tunneling insulating film in connection with a memory cell. Therefore, there is no suggestion in either of the cited patents of forming a tunneling insulating film over an oxide film of a memory cell, as well as over a gate insulating film of a MOS transistor, as recited in the pending claims.

For that additional reason, applicant submits that the pending claims should be allowed.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 7/28/04

  
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PATENT APPLICATION FEE DETERMINATION RECORD Substitute for Form PTO-875					Application or Docket Number <b>09/876 554</b>	
<b>CLAIMS AS FILED - PART I</b>					<b>SMALL ENTITY</b> OR <b>OTHER THAN SMALL ENTITY</b>	
(Column 1)		(Column 2)				
FOR	NUMBER FILED	NUMBER EXTRA			RATE	FEE
BASIC FEE (37 CFR 1.16(a))						\$ _____
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =			X \$ _____ =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =			X \$ _____ =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))					+ \$ _____ =	
					TOTAL	
<p>* If the difference in column 1 is less than zero, enter "0" in column 2.</p>						
<b>CLAIMS AS AMENDED - PART II</b>					<b>SMALL ENTITY</b> OR <b>OTHER THAN SMALL ENTITY</b>	
(Column 1)		(Column 2)		(Column 3)		
<b>AMENDMENT A</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	25	Minus	23	= 2	
	Independent (37 CFR 1.16(b))	7	Minus	7	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
(Column 1)		(Column 2)		(Column 3)		
<b>AMENDMENT B</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	*	Minus	**	=	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
(Column 1)		(Column 2)		(Column 3)		
<b>AMENDMENT C</b>	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		
	Total (37 CFR 1.16(c))	*	Minus	**	=	
	Independent (37 CFR 1.16(b))	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".  *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".  The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>						

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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